

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC,

Plaintiff,

V.

TEXAS INSTRUMENTS, INC.,

Defendant.

C.A. No. 6:12-cv-00499-MHS

JURY TRIAL DEMANDED

BLUE SPIKE, LLC,

Plaintiff,

V.

SHAZAM ENTERTAINMENT LTD.

Defendant.

C.A. No. 6:12-cv-00500-MHS

**(CONSOLIDATED WITH 6:12-CV-499)
JURY TRIAL DEMANDED**

SHAZAM ENTERTAINMENT LTD.

Defendant,

V.

BLUE SPIKE, LLC, BLUE SPIKE, INC.
and SCOTT A. MOSKOWITZ

Counterclaim Defendants.

**UNOPPOSED MOTION TO EXTEND THE DEADLINE FOR DEFENDANT TO
RESPOND TO PLAINTIFF’S MOTION TO DISMISS AND TO CONFIRM THE
DEADLINE FOR BLUE SPIKE, INC. AND MR. SCOTT A. MOSKOWITZ TO
ANSWER DEFENDANT’S COUNTERCLAIMS, TO STIPULATE SERVICE OF
COUNTERCLAIMS BY COUNTERCLAIM DEFENDANT**

COMES now Defendant Shazam Entertainment Ltd. (“Shazam”) and files this Unopposed Motion to confirm the deadline for counterclaim Defendants Blue Spike, Inc. and Mr. Scott A. Moskowitz to Answer Defendant’s Counterclaims, To Stipulate Service of Counterclaims by Counterclaim Defendants, and to Extend the Deadline for Defendant to Respond to Plaintiff’s Motion to Dismiss Defendant’s Counterclaims, and would respectfully show the Court as follows:

On August 9, 2012, Blue Spike, LLC filed a Complaint against Shazam in the above-captioned case. On April 4, 2014, Shazam filed its Amended Answer and Counterclaims Against Blue Spike LLC, Blue Spike, Inc., and Mr. Scott A. Moskowitz (Dkt. #1397).

On April 21, 2014, Blue Spike LLC filed a Motion to Dismiss Shazam’s Counterclaims (Dkt. #1472). Shazam’s response to that motion is due on or about May 9, 2014.

As to the counterclaims against Blue Spike, Inc. and Mr. Scott A. Moskowitz, counsel for Blue Spike, LLC, Mr. Randall Garteiser, has accepted service of the counterclaims on behalf of Blue Spike, Inc. and Scott A. Moskowitz on April 30, 2014. Blue Spike, Inc. and Mr. Scott A. Moskowitz have until and through May 21, 2014 to answer or otherwise respond to the counterclaims.

The parties anticipate that similar motion(s) to dismiss will be filed by Blue Spike, Inc. and Mr. Scott A. Moskowitz on or about May 21, 2014. To consolidate the responses to such motions, Blue Spike has agreed that Shazam’s response to Dkt. #1472 should be due at the same time that the responses to the presumably forthcoming motions to dismiss. As such, the parties agree that Shazam’s response to Blue Spike LLC’s Motion to Dismiss (Dkt. #1472) should be extended until and through June 9, 2014.

Accordingly, the Shazam respectfully request that this Court grant this motion and confirm the deadline for Shazam to respond to Blue Spike LLC's Motion to Dismiss Shazam's Counterclaims to and including June 9, 2014.

Date: May 5, 2014

Respectfully submitted,

/s/ Michael E. Jones

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CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2014, a true and correct copy of the foregoing document was served on all attorneys of record who have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Michael E. Jones

Michael E. Jones